

TEXT OF TESTIMONY GIVEN BY CHARLES ROY OF CASS CAFÉ INC. TO THE HOUSE  
REGULATORY COMMITTEE ON 4/1/09

My name is Charles Roy and I own the Cass Café, a bar and restaurant in the City of Detroit on the south side of Wayne State University. In 1988, I purchased a building at 4620 Cass Ave. and after five years of hard work opened the Cass Café. We have remained open these past 15 years persevering through the ups and downs of Detroit's and the nation's economy to serve our constantly evolving and culturally diverse neighborhood. Currently, we allow smoking.

Our primary clientele consists of the residents of Detroit including Wayne State University and College for Creative Studies students and faculty, and workers from the surrounding cultural institutes, such as the Detroit Institute of Arts, African American Museum, Detroit Science Center and the Detroit Medical Center.

I would like to take this time to thank all those involved in this ongoing discussion about making Michigan work places smoke free. I am honored to be part of this process and I truly believe that this hearing, though it may seem long and drawn out when deciding on only a single issue, demonstrates why democracy works. It is the struggle and debate and, yes the lobbying, that make for good laws and good lawmaking.

I humbly stand before all of you who are trying to do what's best and I am lobbying. I am here, out of my element, speaking in front of a lot of people which makes me quite nervous so I hope you'll bear with me. When I think ahead to the day when my sons, still in elementary school, will be entering the workforce, maybe even at my restaurant, I am compelled to speak today and ask that you make Michigan's workplaces smoke free with no exemptions.

I believe that as a governing body you are ready to make Michigan workplaces smoke free. You likely have already concluded, like so many others, that smoking is a right that our citizens should be able to exercise but not in public places such as airplanes, buses, libraries and, yes, workplaces.

You already know second hand smoke is harmful to the innocent bystanders who breathe the toxic unfiltered chemicals. I am certain you appreciate non-smokers objection to the effects of cigarette smoke in their personal space.

My focus here today is to address the so called exemptions being proposed to Michigan's smoke free workplace legislation.

The Michigan Restaurant Association, which I am a 12 year member of, thinks it should be left to the individual proprietor to make the decision to become smoke-free. The problem is unless the indoor smoking ban is uniform and across the board those among us who wish to be smoke free would lose business to establishments that permit smoking. If I want to protect my employees and customers from the harmful effects of second hand smoke and give my non-smoking customers a more preferable dining experience, I have to risk losing my smoking customers to other establishments that don't share this concern for their employees health. If I want to eliminate smoking from the Cass Café I have to jeopardize my already battered revenue and possibly eliminate jobs.

Mandating seat belts use was good legislation. Mandatory helmet use was an unpopular but good law. Mandating that Michigan workplaces become smoke free is also good governing. A smoke free workplace with no exemptions will not reduce revenue if it's across the board. Nobody is taking the right to smoke away from smokers. We're asking that all workers be protected from the harmful effects of second hand smoke. In this struggling economy workers should not have to choose between their health and working, but some will have to, if your exemptions are allowed. Even employees who smoke may benefit by cutting down or even quitting smoking. In this time of rising health care costs and economic crisis it is essential that we protect the health of our citizens by providing healthy work environments.

The three Detroit casinos all make a case about how becoming smoke free will hurt their business. This has not proved to be the case in other places that have enacted smoke free legislation. If the casinos are allowed an exemption to smoke free workplace laws they will hurt surrounding already struggling bars and restaurants by drawing from their clientele. Already the deep pocketed casinos compete with us at their many restaurants and nightclubs. As casinos compete with each other they are reaching farther and farther into the community, promoting local events and creating mega nightclubs, that are not just for the gamblers. The casinos employ hundreds of people that will continue to be exposed to the harmful effects of second hand smoke. These workers deserve a healthy work environment as well.

I'm asking you today to protect all workers from the dangers of deadly secondhand smoke. It is the right thing to do. It protects the health of both smokers and non smokers, it is a health care benefit that costs nothing and, as seen elsewhere, employees and patrons quickly adjust to the change.